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Attorneys for GEICO Casualty Company

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MORGAN SPENCER KERN, an  
individual,

Plaintiff,

vs.

GEICO CASUALTY COMPANY, a  
foreign corporation; DOES I through X,  
inclusive and ROE BUSINESS ENTITIES I  
through X, inclusive,

Defendants.

CASE NO.: 2:21-cv-00737-RFB-BNW

**STIPULATION AND ORDER TO DISMISS WITHOUT PREJUDICE PLAINTIFF'S  
CAUSES OF ACTION FOR VIOLATION OF NEVADA UNFAIR CLAIMS PRACTICES  
ACT AND BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING**

IT IS HEREBY STIPULATED AND AGREED by and between Carl Houston of Ladah Law Firm, attorney for Plaintiff, MORGAN SPENCER KERN, and Thomas E. Winner and Lara L. Miller, of the law firm of Winner, Booze & Zarccone, attorneys for Defendant, GEICO CASUALTY COMPANY that Plaintiff's Complaint alleges causes of action for Breach of Contract, Violations of the Nevada Unfair Claims Practices Act, including punitive damages, and Breach of the Covenant of Good Faith and Fair Dealing, including punitive damages.

IT IS FURTHER STIPULATED AND AGREED THAT plaintiff will dismiss, without

1 prejudice, his causes of action for Violations of the Nevada Unfair Claims Practices Act,  
2 including punitive damages, and Breach of the Covenant of Good Faith and Fair Dealing,  
3 including punitive damages, as alleged in his Complaint.

4 DATED this 31<sup>st</sup> day of August, 2021.

6 WINNER BOOZE & ZARCONE

8 /s/Lara L. Miller

9 Thomas E. Winner  
10 Nevada Bar No. 5168  
11 Lara L. Miller  
12 Nevada Bar No. 12618  
13 1117 South Rancho Drive  
14 Las Vegas, Nevada 89102

12 DATED this 31<sup>st</sup> day of August, 2021.

14 LADAH LAW FIRM

16 /s/Carl R. Houston


17 Carl R. Houston  
18 Nevada Bar No. 11161  
19 517 South Third Street  
20 Las Vegas, Nevada 89101  
21 *Attorneys for Plaintiff*

ORDER

Upon Stipulation by counsel for the parties, and good cause appearing therefore,

IT IS ORDERED THAT plaintiff's causes of action for Violations of the Nevada Unfair Claims Practices Act, including punitive damages, and Breach of the Covenant of Good Faith and Fair Dealing, including punitive damages, as alleged in his Complaint are dismissed without prejudice.

DATED this 31st day of August, 2021.

  
\_\_\_\_\_  
**RICHARD E. BOULWARE, II**  
**United States District Court**

Submitted by:

WINNER BOOZE & ZARCONE, LTD.

/s/Lara L. Miller  
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